

MINUTES OF COUNCIL REGULAR MEETING – NOVEMBER 12, 2013

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THE WEST VALLEY CITY COUNCIL MET IN REGULAR SESSION ON TUESDAY, NOVEMBER 12, 2013, AT 6:30 P.M., IN THE COUNCIL CHAMBERS, WEST VALLEY CITY HALL, 3600 CONSTITUTION BOULEVARD, WEST VALLEY CITY, UTAH. THE MEETING WAS CALLED TO ORDER AND CONDUCTED BY MAYOR WINDER.

THE FOLLOWING MEMBERS WERE PRESENT:

Mike Winder
Steve Buhler
Don Christensen
Tom Huynh
Karen Lang
Corey Rushton
Steve Vincent

Wayne Pyle, City Manager
Sheri McKendrick, City Recorder

COUNCILMEMBER-ELECT PRESENT:

Lars Nordfelt, At-Large

STAFF PRESENT:

Paul Isaac, Assistant City Manager/HR Director
Nicole Cottle, Assistant City Manager/CED Director
Eric Bunderson, City Attorney
Russell Willardson, Public Works Director
Jim Welch, Finance Director
Layne Morris, CPD Director
Kevin Astill, Parks and Recreation Director
John Evans, Fire Chief
Lee Russo, Police Chief
Steve Lehman, CED Department
Steve Pastorik, CED Department
Aaron Crim, Administration
Jake Arslanian, Public Works Department

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OPENING CEREMONY

The Opening Ceremony was conducted by Steve Buhler who led the Pledge of Allegiance to the Flag.

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16370 SCOUTS

Mayor Winder welcomed Scout Troop Nos. 943 and 766 in attendance to complete requirements for the Citizenship in the Community and Communications merit badges.

16371 EMPLOYEE OF THE MONTH, NOVEMBER 2013 – DAVE SHOPAY, ADMINISTRATION

Councilmember Huynh read the nomination of Dave Shopay, Administration, to receive the Employee of the Month Award for November 2013. Mr. Shopay had been nominated for his knowledge and telecommunications experience as well as his outstanding people skills and exceptional support of other employees.

The City Council offered congratulations and expressed appreciation to Mr. Shopay for his efforts on behalf of West Valley City.

Mr. Shopay addressed the City Council, introduced his wife, Jill, and expressed appreciation to the City Council for the award.

16372 COMMENT PERIOD

A. PUBLIC COMMENTS

Upon inquiry by Mayor Winder there was no one in attendance who desired to address the City Council during the public comment period.

B. CITY COUNCIL COMMENTS

Councilmember Rushton expressed appreciation to all candidates who recently ran for election and advised campaign signs had been taken down quickly.

16373 PUBLIC HEARING, ACCEPT PUBLIC INPUT REGARDING APPLICATION NO. ZT-6-2013, FILED BY WEST VALLEY CITY, REQUESTING AN ORDINANCE TEXT AMENDMENT TO SECTIONS 7-1-103 AND 7-16-101 OF THE WEST VALLEY CITY MUNICIPAL CODE, REGARDING RESIDENTIAL FACILITIES FOR ELDERLY PERSONS

City Manager, Wayne Pyle, stated a public hearing had been advertised in order for the City Council to hear and consider public comments regarding Application No. ZT-6-2013, filed by West Valley City, requesting an ordinance text amendment to Sections 7-1-103 and 7-16-101 of the West Valley City Municipal Code regarding residential facilities for elderly persons. He discussed proposed Ordinance No. 13-44 related to the Application to be considered by the City Council subsequent to the public hearing, as follows:

City Manager, Wayne Pyle, presented proposed Ordinance No. 13-44 that would amend Sections 7-1-103 and 7-16-101 of the West Valley City Municipal Code to

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update City ordinances governing residential facilities for elderly persons consistent with State law.

Mr. Pyle stated Chapter 7-16 of the City Code governed regulation of residential facilities for elderly persons. He indicated that section referenced provisions in the Utah Code removed during the last legislative session. He reported the update would leave the standards unchanged while updating citations consistent with State law.

Mayor Winder opened the public hearing. There being no one to speak either in favor or in opposition, Mayor Winder closed the public hearing.

ACTION: CONSIDER ORDINANCE NO. 13-44, AMENDING SECTIONS 7-1-103 AND 7-16-101 OF THE WEST VALLEY CITY MUNICIPAL CODE TO UPDATE CITY ORDINANCES GOVERNING RESIDENTIAL FACILITIES FOR ELDERLY PERSONS CONSISTENT WITH STATE LAW

The City Council previously held a public hearing regarding Application No. ZT-6-2013, filed by West Valley City, and proposed Ordinance No. 13-44 that would amend Sections 7-1-103 and 7-16-101 of the West Valley City Municipal Code to update City ordinances governing residential facilities for elderly persons consistent with State law.

After discussion, Councilmember Vincent moved to approve proposed Ordinance No. 13-44, an Ordinance Amending Sections 7-1-103 and 7-16-101 of the West Valley City Municipal Code to Update City Ordinances Governing Residential Facilities for Elderly Persons Consistent with State Law. Councilmember Buhler seconded the motion.

A roll call vote was taken:

| | |
|-----------------|-----|
| Mr. Vincent | Yes |
| Ms. Lang | Yes |
| Mr. Buhler | Yes |
| Mr. Huynh | Yes |
| Mr. Rushton | Yes |
| Mr. Christensen | Yes |
| Mayor Winder | Yes |

Unanimous.

16374

PUBLIC HEARING, ACCEPT PUBLIC INPUT REGARDING APPLICATION NO. Z-6-2013, FILED BY JENKINS OLDHAM DEVELOPMENT, L.L.C., REQUESTING A CHANGE FROM ZONE 'A'

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(AGRICULTURE) TO ZONE 'R-1-8' (SINGLE-FAMILY RESIDENTIAL, MINIMUM LOT SIZE 8,000 SQUARE FEET) AND 'R-1-6' (SINGLE-FAMILY RESIDENTIAL, MINIMUM LOT SIZE 6,000 SQUARE FEET) FOR PROPERTY LOCATED AT 3846 SOUTH 5600 WEST

City Manager, Wayne Pyle, stated a public hearing had been advertised in order for the City Council to hear and consider public comments regarding Application No. Z-6-2013, filed by Jenkins Oldham Development, L.L.C., requesting a change from zone 'A' (Agriculture) to zone 'R-1-8' (Single-Family Residential, Minimum Lot Size 8,000 sq. ft.) and 'R-1-6' (Single-Family Residential, Minimum Lot Size 6,000 sq. ft.) for property located at 3846 South 5600 West. He discussed proposed Ordinance No. 13-45 and proposed Resolution No. 13-158 related to the Application to be considered by the City Council subsequent to the public hearing, as follows:

City Manager, Wayne Pyle, presented proposed Ordinance No. 13-45 that would amend the Zoning Map to show a change of zone for property located at 3846 South 5600 West from zone 'A' (Agriculture) to zone 'R-1-8' (Single Family Residential, Minimum Lot Size 8,000 sq. ft.) and 'R-1-6' (Single-Family Residential, Minimum Lot Size 6,000 sq. ft.).

Mr. Pyle stated the applicant had requested a zone change on a 14.9-acre parcel at 3846 South 5600 West from 'A' to 'R-1-8' and 'R-1-4.' He indicated surrounding zones included 'R-1-8' to the south and east and 'A' to the north and west. He advised the subject property was surrounded by single-family homes to the east and south and largely vacant land to the north and west.

The City Manager reported the General Plan called for Small Lot Residential (4 to 7 units per acre) south of the extension of Cilma Drive, and Low Density Residential (3 to 4 units per acre) and Residential Office north of the extension of Cilma Drive.

He further reported the concept plan had been provided to the City Council and showed the property being subdivided into 55 lots resulting in a density of 3.7 units per acre. He stated the concept also included extension of Cilma Drive. The 'R-1-8' portion of the proposal was north of Cilma Drive and included 29 lots with an average lot size of 9,132 square feet. The 'R-1-6' portion of the proposal was south of Cilma Drive and included 26 lots with an average lot size of 7,831 square feet. He advised the smallest lot proposed in the 'R-1-6' portion of the proposal was 6,500 square feet.

City Manager, Wayne Pyle, presented proposed Resolution No. 13-158 that would authorize the City to enter into a Development Agreement with Jenkins Oldham Development, L.L.C. for approximately 14.9 acres of property located at 3846 South 5600 West.

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Mr. Pyle stated the proposal would establish minimum standards for a new single-family home subdivision at the above stated location. He advised the Planning Commission had recommended approval of the zone change subject to a development agreement. He stated the draft agreement contained the following requirements:

1. The minimum house size shall be 1,600 square feet for all homes.
2. The minimum number of points required for design features from Table 1 in Section 7-14-105 (3)(l) of the West Valley City Zoning Ordinance shall be 300 points for all homes.
3. Stub streets shall be provided to the north and west as indicated on the concept plan.
4. Cilma Drive shall be extended through the property as indicated on the concept plan.
5. The maximum number of lots shall be 55.

Mayor Winder opened the public hearing.

Robert Defa, 3802 South 5600 West, addressed the City Council. Mr. Defa referenced a letter he previously submitted and had intended to read aloud; however, he was informed the letter was scanned by the City Recorder and distributed to all members of the City Council via e-mail prior to this meeting.

Richard Defa, 3876 South 5600 West, addressed the City Council and expressed concerns regarding the proposed development and increased traffic on 5600 West Street. He stated automobiles were backed up during peak traffic hours and there would be additional impacts from the Mountain View Corridor, and perhaps all lots should be larger than 10,000 square feet to lessen the traffic impacts.

Carl Oldham, applicant, addressed the City Council and stated he understood concerns regarding traffic, but the amount of cars was insignificant. He advised he had worked with City planners to conform to a long-range plan and had gone over and above what the minimum lot size could have been.

Stone Wilkerson, 3914 South Cliffhaven Lane, addressed the City Council and advised he lived south of the proposed subdivision. He stated if the consideration was to make a road across Madison Place and take roads into the subdivision they would be totally against it. He inquired if that was part of the proposal. He explained Madison Place was a gated community and they wanted to keep it that way and noted this comment was from their HOA board.

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Upon inquiry, City Manager, Wayne Pyle, responded there was no planned connectivity to the above-referenced subdivision regarding the proposed development.

There being no one else to speak either in favor or in opposition, Mayor Winder closed the public hearing.

Councilmember Vincent stated very little space for future residential development actually still existed in the City and there seemed to be enough small lots. He indicated for this reason the small amount of large agriculture properties remaining should be developed into larger lots, thereby, making it possible for current residents to “move up” and remain in the City. He advised that for these reasons he would not be in favor of the proposal.

Councilmember Rushton expressed concurrence with comments previously made by Councilmember Vincent. He stated 50% of houses in the City were currently ‘R-1-7’ or ‘R-1-8’ and discussed the importance of planning for changing demographics including providing large enough lots and housing for people to “move up” and remain in the City. He expressed the importance of creativity on behalf of developers regarding residential development of some of the remaining agricultural properties.

ACTION: CONSIDER ORDINANCE NO. 13-45, AMENDING THE ZONING MAP TO SHOW A CHANGE OF ZONE FOR PROPERTY LOCATED AT 3846 SOUTH 5600 WEST FROM ZONE ‘A’ (AGRICULTURE) TO ZONE ‘R-1-8’ (SINGLE-FAMILY RESIDENTIAL, MINIMUM LOT SIZE 8,000 SQUARE FEET) AND ‘R-1-6’ (SINGLE-FAMILY RESIDENTIAL, MINIMUM LOT SIZE 6,000 SQUARE FEET)

The Council previously held a public hearing regarding Application No. Z-6-2013, filed by Jenkins Oldham Development, L.L.C., and proposed Ordinance No. 13-45 that would amend the Zoning Map to show a change of zone for property located at 3846 South 5600 West from zone ‘A’ (Agriculture) to zone ‘R-1-8’ (Single-Family Residential, Minimum Lot Size 8,000 Square Feet) and ‘R-1-6’ (Single-Family Residential, Minimum Lot Size 6,000 Square Feet).

After discussion, Councilmember Rushton moved to deny Application No. Z-6-2013, filed by Jenkins Oldham Development, L.L.C., and proposed Ordinance No. 13-45. Councilmember Lang seconded the motion.

A roll call vote was taken:

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| Mr. Vincent | Yes |
| Ms. Lang | Yes |
| Mr. Buhler | Yes |

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|-----------------|-----|
| Mr. Huynh | Yes |
| Mr. Rushton | Yes |
| Mr. Christensen | Yes |
| Mayor Winder | Yes |

Unanimous.

Application No. Z-6-2013 & Proposed Ordinance No. 13-45 - denied.

ACTION: CONSIDER RESOLUTION NO. 13-158 AUTHORIZING THE CITY TO ENTER INTO A DEVELOPMENT AGREEMENT WITH JENKINS OLDHAM DEVELOPMENT, L.L.C. FOR APPROXIMATELY 14.9 ACRES OF PROPERTY LOCATED AT 3846 SOUTH 5600 WEST

The Council previously held a public hearing and subsequently denied Application No. Z-6-2013 and proposed Ordinance No. 13-45 related to the Application.

After discussion, Councilmember Rushton moved to deny proposed Resolution No. 13-158. Councilmember Vincent seconded the motion.

A roll call vote was taken:

| | |
|-----------------|-----|
| Mr. Vincent | Yes |
| Ms. Lang | Yes |
| Mr. Buhler | Yes |
| Mr. Huynh | Yes |
| Mr. Rushton | Yes |
| Mr. Christensen | Yes |
| Mayor Winder | Yes |

Unanimous.

Proposed Resolution No. 13-158 – denied.

16375

RESOLUTION NO. 13-159, APPROVE AN INTERLOCAL COOPERATION AGREEMENT BETWEEN WEST VALLEY CITY AND SALT LAKE COUNTY FOR THE CONSTRUCTION OF A PEDESTRIAN SUSPENSION BRIDGE OVER THE JORDAN RIVER AT APPROXIMATELY 3100 SOUTH 1150 WEST

City Manager, Wayne Pyle, presented proposed Resolution No. 13-159 that would approve an Interlocal Cooperation Agreement between West Valley City and Salt Lake County for the construction of a pedestrian suspension bridge over the Jordan River at approximately 3100 South 1150 West.

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Mr. Pyle stated Salt Lake County and West Valley City had developed a master plan for Pioneer Crossing Park located east of the Utah Celebration Cultural Center along the Jordan River. He indicated the City had awarded a contract to construct a flexible pedestrian suspension bridge at approximately 3100 South and 1150 West as the first phase of the project. He advised West Valley City would construct, own and maintain the bridge and bear all costs related to the project. Salt Lake County would grant an easement for construction of the bridge on County property on the east side of the River.

After discussion, Councilmember Christensen moved to approve Resolution No. 13-159, a Resolution Approving an Interlocal Cooperation Agreement between West Valley City and Salt Lake County for the Construction of a Pedestrian Suspension Bridge Over the Jordan River at Approximately 3100 South 1150 West. Councilmember Huynh seconded the motion.

A roll call vote was taken:

| | |
|-----------------|-----|
| Mr. Vincent | Yes |
| Ms. Lang | Yes |
| Mr. Buhler | Yes |
| Mr. Huynh | Yes |
| Mr. Rushton | Yes |
| Mr. Christensen | Yes |
| Mayor Winder | Yes |

Unanimous.

16376

RESOLUTION NO. 13-160, APPROVE A PURCHASE AND SALE AGREEMENT BETWEEN WEST VALLEY CITY AND KENNECOTT UTAH COPPER, LLC, FOR PURCHASE OF PROPERTY LOCATED AT 2484 SOUTH 7200 WEST

City Manager, Wayne Pyle, presented proposed Resolution No. 13-160 that would approve a Purchase and Sale Agreement between West Valley City and Kennecott Utah Copper, LLC, in the amount of \$24,078.90 plus closing costs, for purchase of property located at 2484 South 7200 West.

Mr. Pyle stated the proposed Resolution would authorize, accept and approve execution of a Purchase and Sale Agreement, including acceptance of a Special Warranty Deed from Kennecott Utah Copper, LLC for the above-described property. He advised the subject parcel was one of the properties affected by construction of the SR-201 Frontage Road and 7200 West Widening Project extending from 6400 West to 7200 West and included the widening of a portion of 7200 West on the west side of the street. He reported compensation for

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purchase of the property was based on an appraisal report prepared by the DH Group.

After discussion, Councilmember Christensen moved to approve Resolution No. 13-160, a Resolution Approving a Purchase and Sale Agreement between West Valley City and Kennecott Utah Copper, LLC, for the Purchase of Property Located at 2484 South 7200 West. Councilmember Buhler seconded the motion.

A roll call vote was taken:

| | |
|-----------------|-----|
| Mr. Vincent | Yes |
| Ms. Lang | Yes |
| Mr. Buhler | Yes |
| Mr. Huynh | Yes |
| Mr. Rushton | Yes |
| Mr. Christensen | Yes |
| Mayor Winder | Yes |

Unanimous.

16377

APPLICATION NO. PUD-4-2013, FILED BY HENRY WALKER HOMES, REQUESTING FINAL PLAT APPROVAL FOR THE VILLAGES AT WESTRIDGE PUD PHASE 2, LOCATED AT 5600 W. LAKE RIDGE DRIVE

City Manager, Wayne Pyle, presented Application No. PUD-4-2013, filed by Henry Walker Homes, requesting final plat approval for the Villages at Westridge PUD Phase 2, located at 5600 W. Lake Ridge Drive.

Mr. Pyle stated Leslie Mascaro, representing Henry Walker Homes, had requested final plat approval for the second phase of the Villages at Westridge PUD. He indicated the subject property had been re-zoned in February of 2011, and received preliminary approval from the Planning Commission in July of 2011. He explained the first phase received final plat approval in September of 2012.

The City Manager indicated the second phase of the Villages at Westridge would consist of 18 residential lots. This phase represented a new product type that differed from the courtyard product previously approved by the City Council. He further stated Henry Walker had made a strategic decision to bring on a second product type to create an immediate mixture of housing options for future buyers. A third building type (townhomes) would be submitted in the future.

He advised access to the development would be gained from Lake Ridge Drive and from 5675 West. He stated the east/west street providing the main access into the overall project had recently been constructed and a portion of 5675 West

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would be constructed with this phase. The remaining north/south leg (5675 West) would be constructed as future phases were submitted.

Mr. Pyle reported housing proposed for the overall project would be comprised of three housing styles and the style in this phase would be a mansion home. The elevations and limited number of units per building would give the impression of a large single-family dwelling. He indicated based on the footprint of the structure, there was an abundance of relief and other architecture elements thus meeting the City's multiple-family design guidelines. Per the development agreement, buildings would consist of 100% masonry products with brick, hardiplank and limited stucco as primary materials.

He stated the proposed housing size was encouraging and explained the three types of units, as follows: Type A – approximately 1,874 square feet; Type B – approximately 1,692 square feet, and Type C – approximately 1,864 square feet. He indicated all units would have three bedrooms. The number of bedrooms addressed a concern of the Planning Commission and City Council whereby they expressed similar developments had only two bedrooms. He stated the third bedroom would allow a growing family to potentially stay longer in the home thus prolonging their stay in the community.

The City Manager advised that the developer would coordinate storm water issues for the entire project with the City's Engineering Division. At this point in the review process an area located at the northeast corner was projected to handle storm water generated from the overall site. He indicated according to plans submitted by the developer's engineer, the depth of the basin would be approximately 2.5 feet, with the basin itself at approximately 130 feet by 80 feet in size. He stated given the size of the detention basin, a 2.5 foot deep basin would be functional for some recreational use and would be landscaped.

Mr. Pyle concluded that as part of the overall development at least 50% of the project site would be open space. Although not part of this phase, the developer would deed an area approximately 1.3 acres in size for use as a City park. He stated this phase of the development would provide just over one acre of open space.

Mayor Winder called for discussion.

Councilmember Vincent related previous discussions regarding the subject property. He stated the plan elevations did not fit the "mansion" description and did not look any different than a standard four-plex townhome. He expressed desire to review a better product for the project.

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Councilmember Buhler expressed concurrence with Councilmember Vincent's comments and posed the question of how many mansions had garages out in front.

Upon inquiry, City Manager, Wayne Pyle, recommended continuance of the application and commented the term "mansion" did not apply to this proposal. He stated that over time the proposal had undergone a variety of conceptual designs and this phase was presented to the City Council previously and included, for the most part, these sizes and exterior elevations.

Assistant City Manager/CED Director, Nicole Cottle, advised newer elevations could be displayed on the video screen if the Council so desired. Councilmember Vincent discussed his recollection of seeing something different than the current proposal. Councilmember Rushton reviewed earlier discussions regarding modeling elevations of the Hunter Town Center.

The City Manager discussed consideration of the overall development including the entire mix of all phases of the project. He advised the pencil drawing was the original.

Councilmember Christensen commented some drawings showed five garages in the front and that seemed overwhelming.

Mayor Winder pointed out some similarities of the homes with three-car garages with the Daybreak project in South Jordan, Utah.

After further discussion, Councilmember Rushton moved to continue Application No. PUD-4-2003, filed by Henry Walker Homes, to no date certain. Councilmember Buhler seconded the motion.

A roll call vote was taken:

| | |
|-----------------|-----|
| Mr. Vincent | Yes |
| Ms. Lang | Yes |
| Mr. Buhler | Yes |
| Mr. Huynh | Yes |
| Mr. Rushton | Yes |
| Mr. Christensen | Yes |
| Mayor Winder | Yes |

Unanimous.

Application No. PUD-4-2013 was continued to no date certain.

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16378

CONSENT AGENDA:

A. RESOLUTION NO. 13-161, AUTHORIZE THE CITY TO GRANT AN EASEMENT TO PACIFICORP FOR RELOCATION OF POWER LINES ON 4100 SOUTH AT APPROXIMATELY 5850 WEST AS PART OF THE MOUNTAIN VIEW CORRIDOR PROJECT

City Manager, Wayne Pyle, presented proposed Resolution No. 13-161 that would authorize the City to grant an easement to PacifiCorp for relocation of power lines on 4100 South at approximately 5850 West as part of the Mountain View Corridor Project.

Mr. Pyle stated as part of the Mountain View Corridor Project the Utah Department of Transportation and PacifiCorp had requested an easement in favor of PacifiCorp (Rocky Mountain Power) over a portion of 4100 South. He indicated currently PacifiCorp had power lines crossing 4100 South at approximately 5850 West. At the current crossing location on 4100 South, PacifiCorp was the fee title owner with West Valley City having prescriptive rights for a road. Construction of the Mountain View Corridor would require relocation of power lines eastward that would cross 4100 South at a location owned by West Valley City. He explained that while PacifiCorp could not be granted the same rights it currently held as a fee titleholder of the public street, the easement over the public street would provide more rights than under the franchise agreement.

B. RESOLUTION NO. 13-162, AUTHORIZE THE CITY TO GRANT AN EASEMENT TO PACIFICORP FOR RELOCATION OF POWER LINES ON CAPE COD DRIVE AT APPROXIMATELY 5850 WEST AS PART OF THE MOUNTAIN VIEW CORRIDOR PROJECT

City Manager, Wayne Pyle, presented proposed Resolution No. 13-162 that would authorize the City to grant an easement to PacifiCorp for relocation of power lines on Cape Cod Drive at approximately 5850 West as part of the Mountain View Corridor Project.

Mr. Pyle stated currently PacifiCorp had power lines crossing Cape Cod Drive at approximately 5850 West. He advised that at the current crossing location on Cape Cod Drive, PacifiCorp was the fee title owner with West Valley City having an easement for the road. Construction of the Mountain View Corridor would require relocation of power lines eastward that would cross Cape Cod Drive at a location dedicated to West Valley City. He also advised while PacifiCorp could not be granted the same rights it currently held as a fee title holder of the public street, the easement over the public street would provide more rights than under the franchise agreement.

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C. RESOLUTION NO. 13-163, AUTHORIZE THE CITY TO GRANT AN EASEMENT TO PACIFICORP FOR RELOCATION OF POWER LINES ON CILMA AVENUE AT APPROXIMATELY 5850 WEST AS PART OF THE MOUNTAIN VIEW CORRIDOR PROJECT

City Manager, Wayne Pyle, presented proposed Resolution No. 13-163 that would authorize the City to grant an easement to PacifiCorp for relocation of power lines on Cilma Avenue at approximately 5850 West as part of the Mountain View Corridor Project.

Mr. Pyle stated as part of the Mountain View Corridor Project the Utah Department of Transportation and PacifiCorp requested easements in favor of PacifiCorp (Rocky Mountain Power) over a portion of Cilma Avenue.

He indicated currently PacifiCorp had power lines crossing Cilma Avenue at approximately 5850 West. At the current crossing location on Cilma Avenue, PacifiCorp was the fee title owner with West Valley City having an easement for the road. Construction of the Mountain View Corridor would require relocation of power lines eastward that would cross Cilma Avenue at a location dedicated to West Valley City. He explained while PacifiCorp could not be granted the same rights it currently held as a fee title holder of the public street, the easement over the public street would provide more rights than under the franchise agreement.

D. RESOLUTION NO. 13-164, AUTHORIZE THE CITY TO GRANT AN EASEMENT TO KERN RIVER GAS TRANSMISSION COMPANY FOR RELOCATION OF GAS TRANSMISSION LINES ON 4100 SOUTH AT APPROXIMATELY 5850 WEST AS PART OF THE MOUNTAIN VIEW CORRIDOR PROJECT

City Manager, Wayne Pyle, presented proposed Resolution No. 13-164 that would authorize the City to grant an easement to Kern River Gas Transmission Company for relocation of gas transmission lines on 4100 South at approximately 5850 West as part of the Mountain View Corridor Project.

Mr. Pyle stated as part of the Mountain View Corridor project the Utah Department of Transportation and Kern River Gas Transmission Company had requested an easement in favor of Kern River Gas Transmission Company over a portion of 4100 South Street.

He explained currently Kern River Gas Transmission Company had natural gas transmission lines crossing 4100 South at approximately 5850

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West. At the current crossing location on 4100 South, PacifiCorp was the fee title owner with West Valley City having prescriptive rights for a road. Kern River Gas Transmission Company currently had an easement from PacifiCorp for the crossing location and construction of the Corridor would require relocation of gas transmission lines eastward that would cross 4100 South at a location owned by West Valley City. He stated Kern River had requested an easement from the City to replace the easement it currently had with PacifiCorp.

E. RESOLUTION NO. 13-165, AUTHORIZE THE CITY TO GRANT AN EASEMENT TO KERN RIVER GAS TRANSMISSION COMPANY FOR RELOCATION OF GAS TRANSMISSION LINES ON CAPE COD DRIVE AT APPROXIMATELY 5850 WEST AS PART OF THE MOUNTAIN VIEW CORRIDOR PROJECT

City Manager, Wayne Pyle, presented proposed Resolution No. 13-165 that would authorize the City to grant an easement to Kern River Gas Transmission Company for relocation of gas transmission lines on Cape Cod Drive at approximately 5850 West as part of the Mountain View Corridor Project.

Mr. Pyle stated as part of the Mountain View Corridor Project the Utah Department of Transportation and Kern River Gas Transmission Company had requested an easement in favor of Kern River Gas Transmission Company over a portion of Cape Cod Drive.

He indicated currently Kern River Gas Transmission Company had natural gas transmission lines crossing Cape Cod Drive at approximately 5850 West. At the current crossing location on Cape Cod Drive, PacifiCorp was the fee title owner with West Valley City having easements for the road. Kern River currently had an easement from PacifiCorp for this crossing location. He explained construction of the Mountain View Corridor would require relocation of gas transmission lines eastward that would cross Cape Cod Drive to a location dedicated to West Valley City. He advised Kern River Gas Transmission Company had requested an easement from the City to replace the easement it currently had with PacifiCorp.

After discussion, Councilmember Rushton moved to approve Resolution Nos. 13-161, 13-162, 13-163, 13-164 and 13-165 as presented on the Consent Agenda. Councilmember Lang seconded the motion.

A roll call vote was taken:

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| Mr. Vincent | Yes |
| Ms. Lang | Yes |

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| Mr. Buhler | Yes |
| Mr. Huynh | Yes |
| Mr. Rushton | Yes |
| Mr. Christensen | Yes |
| Mayor Winder | Yes |

Unanimous.

THERE BEING NO FURTHER BUSINESS OF THE WEST VALLEY CITY COUNCIL, THE REGULAR MEETING OF TUESDAY, NOVEMBER 12, 2013, WAS ADJOURNED AT 7:01 P.M., BY MAYOR WINDER.

I hereby certify the foregoing to be a true, accurate and complete record of the proceedings of the Regular Meeting of the West Valley City Council held Tuesday, November 12, 2013.

Sheri McKendrick, MMC
City Recorder